

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Fatima FERREIRA et al. : **Confirmation No.:** 5635
:
Serial No.: 10/517,052 : **Group Art Unit:** 1644
:
Filed: December 3, 2004 : **Examiner:** Nora M. ROONEY
For: ALLERGEN FROM MUGWORT POLLEN
Attorney Docket Number: LNK-036

RESPONSE TO NON-COMPLIANT AMENDMENT

Mail Stop **AMENDMENT**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Notice of Non-Compliant Amendment mailed July 29, 2009 makes reference to the fact that Applicants' Supplemental Response of July 9, 2009 failed to present a complete listing of the pending claims (i.e., claims 1-11 are missing). While Applicants respectfully submit that the Amendment and Request for Reconsideration filed March 6th coupled with the Supplemental Response of July 9th together present a complete listing of the pending claims, Applicants nevertheless submit herewith a complete copy of the Amendment and Request for Reconsideration revised to correct the previously noted error. In particular, the status of claim 14 is corrected to be "Canceled" instead of "Previously Presented" and the status of claim 15 is corrected to be "Previously Presented" instead of "Canceled". Applicants respectfully petition for the entry of the corrected response and for action thereon in due course.

Serial No.: 10/560,407

Atty. Docket No.: LNK-038

Response to Notice of Non-Compliant Amendment mailed July 29, 2009

The Notice of Non-Compliant Amendment of July 29, 2009 set a one-month shortened statutory period for response. In that response is due on or before **August 29, 2009**, Applicants submit that this response is timely and no additional fees are required. However, in the event that further fees are required to enter the instant response and/or maintain the pendency of this application, the Commissioner is authorized to charge such fees to our Deposit Account No. 50-2101.

If the Examiner has any questions or concerns regarding this communication, she is invited to contact the undersigned.

Respectfully submitted,

Date: **July 30, 2009**

By: **/chalin a. smith/**

Smith Patent Consulting, LLC
3309 Duke Street
Alexandria, VA 22314
Telephone: (703) 549-7691
Facsimile: (703) 549-7692

Name: Chalin A. Smith
Title: Attorney for Applicant
Registration No. 41,569

CUSTOMER NUMBER 31,496